

**Congress of the United States**  
**Washington, DC 20515**

December 7, 2016

President Barack Obama  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, DC 20502

Dear Mr. President:

We write to reiterate and clarify our time sensitive request that you grant Presidential pardons to those who your Administration has vetted and granted Deferred Action for Childhood Arrivals (DACA) status.

In response to a recent congressional letter asking you to pardon beneficiaries of the DACA program, the White House stated "the clemency power could not give legal status to any undocumented individual. As we have repeatedly said for years, only Congress can create legal status for undocumented individuals." Your Director of the Domestic Policy Council has also made similar remarks.

First, as U.S. Congressmen and women, we are well aware that it is within our power and not yours to pass laws that establish pathways to legal status for undocumented immigrants. In fact, we have worked tirelessly throughout your Administration and previous Administrations to achieve this aim. It remains a first and foremost goal for us as legislators.

Second, we reiterate our request for you to use your Constitutional authority to provide pardons for civil immigration violations. Just as Article I, Section 8 of the U.S. Constitution delegates to Congress the authority to establish a "uniform Rule of Naturalization," Article II, Section 2 delegates sole authority to the President to grant "Pardons for Offences against the United States." The Constitution specifically does not limit the pardon power to criminal offenses. We ask for the narrow reprieve of a retroactive and prospective pardon of categorical civil immigration violations for a unique group of young immigrants who have placed their trust in both you as their President and us as their lawmakers. To be clear we are not asking you to "create legal status."

We believe that this action is critical, although it does not create legal status, because for many DREAMers it could clear a path to a legal status that already exists under current law. Providing protection and stability for immigrants is a shared goal, especially at a time when fear and uncertainty in our communities is at an all-time high. Therefore, we urge you to reconsider and exercise your Constitutional authority to provide pardons to young people who are American in every way but on paper.

Sincerely,

  
Hon. Zoe Lofgren

  
Hon. Luis V. Gutierrez


  
Hon. Lucille Roybal-Allard



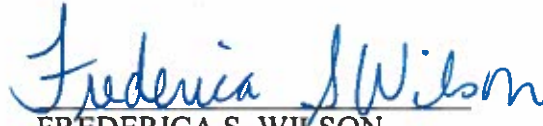
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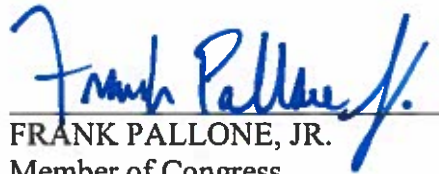
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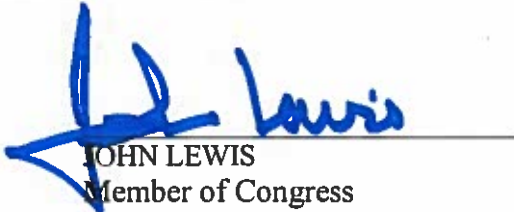
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Member of Congress

*Michael E. Capuano*

MICHAEL E. CAPUANO  
Member of Congress

*Joseph Crowley*

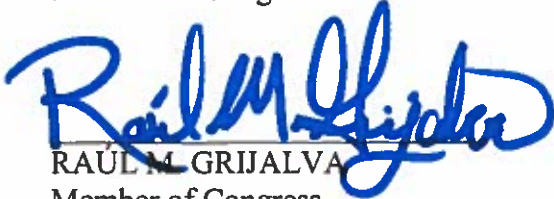
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Member of Congress



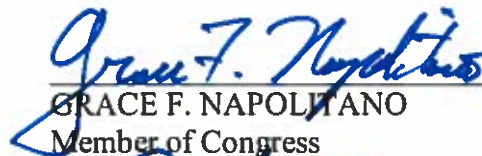
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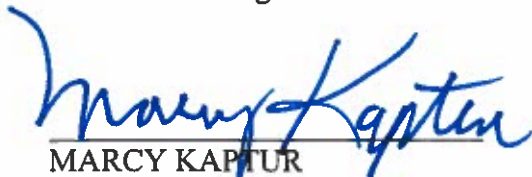
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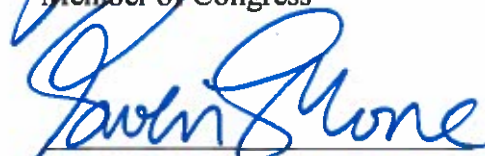
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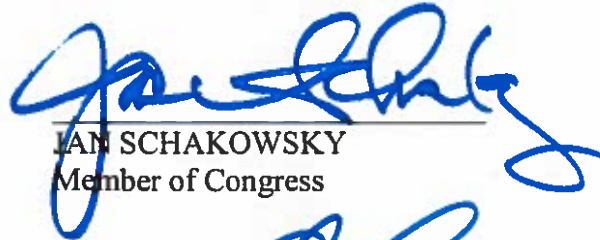
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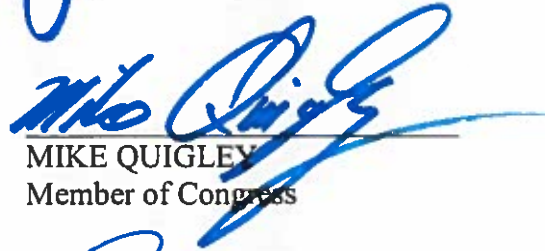
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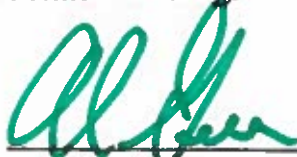
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AL GREEN  
Member of Congress